

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of

Cibao Express - Car & Limo Inc.
Licensee of WPPU655
Elmhurst, NY

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File Number: EB-05-NY-199

NAL/Acct. No: 200632380004

FRN: 0011 7495 04

FORFEITURE ORDER

Adopted: May 16, 2006**Released: May 18, 2006**

By the Regional Director, Northeast Region, Enforcement Bureau:

1. In this *Forfeiture Order* ("Order"), we issue a monetary forfeiture in the amount of eight thousand dollars (\$8,000) to Cibao Express - Car & Limo Inc. ("Cibao Express"), licensee of private land mobile station WPPU655, Elmhurst, NY, for willfully violating Section 1.903(a) of the Commission's Rules ("Rules")¹ by operating radio transmitting equipment on two unauthorized frequencies and operating two transmitters with output powers in excess of the power specified in the station license.

2. On February 1, 2006, the Commission's New York Field Office issued a *Notice of Apparent Liability for Forfeiture* ("NAL") in the amount of \$8,000 to Cibao Express.² Cibao Express has not filed a response to the NAL. Based on the information before us, we affirm the forfeiture.

3. **ACCORDINGLY, IT IS ORDERED** that, pursuant to Section 503(b) of the Communications Act of 1934, as amended ("Act"),³ and Sections 0.111, 0.311 and 1.80(f)(4) of the Commission's Rules,⁴ Cibao Express - Car & Limo Inc. **IS LIABLE FOR A MONETARY FORFEITURE** in the amount of \$8,000 for willfully and repeatedly violating 47 C.F.R. § 1.903(a).

4. Payment of the forfeiture shall be made in the manner provided for in Section 1.80 of the Rules within thirty (30) days of the release of this *Order*. If the forfeiture is not paid within the period specified, the case may be referred to the Department of Justice for collection pursuant to Section 504(a) of the Act.⁵ Payment of the forfeiture must be made by check or similar instrument, payable to the order

¹ 47 C.F.R. § 1.903(a).

² *Notice of Apparent Liability for Forfeiture*, NAL/Acct. No. 200632380004 (Enf. Bur., New York Office, released February 1, 2006).

³ 47 U.S.C. § 503(b).

⁴ 47 C.F.R. §§ 0.111, 0.311, 1.80(f)(4).

⁵ 47 U.S.C. § 504(a).

of the Federal Communications Commission. The payment must include the NAL/Acct. No. and FRN No. referenced above. Payment by check or money order may be mailed to Federal Communications Commission, P.O. Box 358340, Pittsburgh, PA 15251-8340. Payment by overnight mail may be sent to Mellon Bank /LB 358340, 500 Ross Street, Room 1540670, Pittsburgh, PA 15251. Payment by wire transfer may be made to ABA Number 043000261, receiving bank Mellon Bank, and account number 911-6106. Requests for full payment under an installment plan should be sent to: Associate Managing Director, Financial Operations, 1A625, 445 12th Street, S.W., Washington, D.C. 20554.⁶

5. **IT IS FURTHER ORDERED** that a copy of this *Order* shall be sent by First Class Mail and Certified Mail Return Receipt Requested to Cibao Express - Car & Limo Inc. at its address of record.

FEDERAL COMMUNICATIONS COMMISSION

Russell Monie, Jr.
Regional Director, Northeast Region
Enforcement Bureau

⁶ See 47 C.F.R. § 1.1914.